

## BEST AVAILABLE COPY

PATENT

Attorney's Docket No. 216474

COMBINED DECLARATION FOR UTILITY OR DESIGN PATENT  
APPLICATION AND POWER OF ATTORNEY

- ☐ Declaration Submitted with Initial Filing OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (*if only one name is listed below*) or an original, first, and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## GENETIC VACCINES DIRECTED AGAINST BACTERIAL EXOTOXINS

the specification of which:

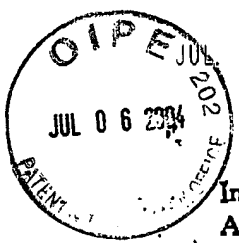
- ☐ is attached hereto.  
☒ was filed on August 27, 2003, as Application No. 10/649,457, and was amended on (*if applicable*).  
☐ was filed by Express Mail No. *as Application No. not known yet*, and was amended on (*if applicable*).  
☐ was filed on , as PCT International Application No. and was amended on (*if any*).

I state that I have reviewed and understand the contents of the specification identified above, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I claim foreign priority benefits under 35 USC 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, utility model, design registration, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter and having a filing date before that of the application(s) from which the benefit of priority is claimed.

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6. 2004 1:19PM LVM 312 616 5700

NO. 9650 P. 10

## BEST AVAILABLE COPY

In re Application of CRYSTAL et al.  
Application No. 10/649,457

PRIOR FOREIGN APPLICATION NUMBER(S)	COUNTRY	FOREIGN FILING DATE (mm/dd/yyyy)	PRIORITY CLAIMED		CERTIFIED COPY ATTACHED	
			YES	NO	YES	NO

As a named inventor, I hereby appoint Leydig, Voit & Mayer, Ltd. to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Customer Number 23460.


23460

I further direct that correspondence concerning this application be directed to Leydig, Voit & Mayer, Ltd.: Customer Number 23460.

23460

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Ronald G. Crystal

Inventor's signature: 

Date: 7-14-04 Country of Citizenship: United States

Residence: New York, NY

Post Office Address: 435 East 70<sup>th</sup> Street, Apt. 34B, New York, NY 10021

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NO. 9650 P. 11

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In re Application of CRYSTAL et al.  
Application No. 10/649,457

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second joint inventor: Neil R. Hackett

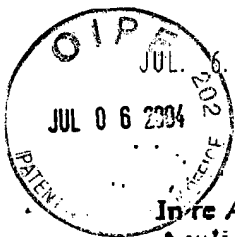
Inventor's signature: Neil R. Hackett

Date 04/14/04 Country of Citizenship: United Kingdom

Residence: New York, NY

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JUL 06 2004

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NO. 9650 P. 12

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In re Application of CRYSTAL et al.  
Application No. 10/649,457

I declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second joint inventor: Yadi Tan

Inventor's signature: Yadi Tan

Date 04/24/04

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